

REMARKS

Claims 1-16 have been examined and rejected. By this amendment, claims 5-6 and 11 are cancelled. Accordingly, claims 1-4, 7-10 and 12-16 are all the claims pending in the present application.

The Examiner has rejected the claims on the following grounds:

- Claims 1-8 and 10-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication No. 2001-0050975 to Nakajo ("Nakajo");
- Claim 9 stands rejected as being unpatentable under 35 U.S.C. § 103(a) over Nakajo in view of U.S. Patent No. 5,065,866 to Boutet;
- Claim 14 stands rejected as being unpatentable under 35 U.S.C. § 103(a) over Nakajo in view of U.S. Patent No. 5,773,832 to Sayed ("Sayed"); and
- Claims 15-16 stand rejected as being unpatentable under 35 U.S.C. § 103(a) over Nakajo in view of Sayed in further view of U.S. Patent No. 6,158,888 to Walker ("Walker").

In addition, the Examiner has objected to claim 4 as being a "substantial duplicate" of claim 1.

CLAIM AMENDMENTS

By this amendment, claim 5-6 and 11 are cancelled.

Claim 4 is amended to incorporate the limitations of claims 5-6, and claim 10 is amended to incorporate the limitations of claim 11.

Claims 7-9 have been rewritten in independent form.

In addition, claim 15 is amended to correct an obvious grammatical error.

An Excess Claim Fee Payment Letter accompanies this Amendment.

OBJECTIONS TO THE CLAIMS

The Examiner has objected to claim 4 as being a “substantial duplicate” of claim 1. Independent claims 1 and 4 recite distinct subject matter, and are not substantially duplicative of each other. For example, claim 1 recites a radiation image forming unit “wherein a sheet member of a different material is attached to said stimuable phosphor sheet.” Claim 4, on the other hand, recites a radiation image forming unit “wherein a sheet member of a different material is removably attached to a surface of said case which is exposed to radiation applied to said stimuable phosphor sheet, and wherein said case has a recess, said sheet member of the different material being detachably mounted in said recess by a fastening member.” Accordingly, Applicant respectfully requests the Examiner to withdraw the objection to these claims.

CLAIMS REJECTIONS

Claims 1-8 and 10-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Nakajo. In addition, claim 9 stands rejected as begin unpatentable under 35 U.S.C. § 103(a) over Nakajo in view of Boutet, claim 14 stands rejected as begin unpatentable under 35 U.S.C. § 103(a) over Nakajo in view of Sayed, and claims 15-16 stand rejected under 35 U.S.C. § 103(a) as begin unpatentable over Nakajo in view of Sayed in further view Walker.

For at least the following reasons, Applicant respectfully traverses these rejections.

Claims 1-3

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP 2131, citing

Verdegaal Bros. v. Union Oil Co., 814 F.2d 628, 631 (Fed. Cir. 1987). Here, Applicant respectfully submits that Nakajo fails to teach or suggest each element of claim 1.

Claim 1 recites a radiation image forming unit “wherein a sheet member of a different material is attached to said stimuable phosphor sheet.” The Examiner asserts that Nakajo teaches such an image forming unit, and that flat plate 24 teaches the claimed “sheet member” and that stimuable phosphor sheet 12 corresponds to the stimuable phosphor sheet. According to the Examiner, when cartridge 10 is assembled, *i.e.*, when stimuable phosphor sheet 12 is inserted into casing 14, flat plate 24 is attached to stimuable phosphor sheet 12.

Applicant, however, respectfully submits that, even when assembled, flat plate 24 is not “attached” to stimuable phosphor sheet 12. While stimuable phosphor sheet 12 is, when the cartridge 10 is assembled, a component of the same cartridge as flat plate 24, flat plate 24 is in no way “attached” to the stimuable phosphor sheet. Mere contact or proximity of components does not equate to attachment. Accordingly, Applicant submits that claim 1 is patentable over the cited art at least for this reason.

As claims 2-3 depend from claim 1, Applicant respectfully submits that these claim are patentable over the cited art at least based on their dependency on claim 1.

With respect to claim 2, Applicant respectfully submits that stimuable phosphor sheet 12 does not have a recess as recited in claim 2. The Examiner asserts that such a recess is taught by the area formed by elements 28(a-d). However, this “area” is not part of stimuable phosphor sheet 12. Rather, it is simply a defined area by frame rails wherein stimuable phosphor sheet 12 is inserted when the cartridge 10 is assembled. It is not a recess in stimuable phosphor sheet 12.

Accordingly, Applicant submits that claim 2 is patentable over the cited art at least for this additional reason.

As claim 3 depends from claim 2, Applicant respectfully submits that this claim is patentable over the cited art at least based on its dependency on claim 2.

Claims 4, 7-9

Claim 4 recites a radiation image forming unit “wherein a sheet member of a different material is removably attached to a surface of said case ..., and wherein said case has a recess, said sheet member of the different material being detachably mounted in said recess by a fastening member.” Applicant respectfully submits that Nakajo fails to teach or suggest at least this element of claim 4. For example, flat plate 24, which the Examiner asserts corresponds to the claimed “sheet member of a different material” is not removably attached to the surface of a casing 14. Indeed, in Nakajo, flat plate 24 forms one side of casing 14, and thus cannot be removably attached to the casing 14. Further, flat plate 24 is “integrally molded” to frames 28(a-d) and metal plates 26(a-c) and, again, cannot be removably attached to the casing 14. (p. 2 at ¶ [0035]).

In addition, flat plate 24 is not “detachably mounted in [a] recess” of a case. Flat plate 24 forms the bottom of the casing 14. The Examiner asserts that the area bounded by frame members 28(a-d) comprises a recess, however, flat plate 24 is not disposed within this area, but is, as shown in Figs. 2-5, the bottom boundary of this area. Further, regardless of relative positions, with flat plate being “integrally molded” to frames 28(a-d) and metal plates 26(a-c) a, flat plate 24 does not teach a sheet member detachably mounted in a recess formed by these elements.

With respect to claims 7 and 8, each of these claims has been rewritten as an independent claim, including features similar to those of claim 4 discussed above.

More specifically, claim 7 recites “a case for storing said stimuable phosphor sheet, wherein a sheet of a different material is attached to said case” and further recites that the case comprises a “casing” with “a light shield plate detachably mounted on said casing” and “said sheet member of the different material being detachably mounted on an inner surface of said light shield plate.” Claim 8 also recites a “case for storing said stimuable phosphor sheet, wherein a sheet of a different material is attached to said case” and further recites that the case comprises a “casing” with “a lid openably and closably mounted on said casing” and “said sheet member of the different material being detachably mounted on an inner surface of said lid.”

As indicated above, the flat plate 24 of Nakajo is not detachably mounted to the casing 14 in any way. Accordingly, Nakajo cannot anticipate claims 7 and 8, which recite a radiation image forming unit wherein the different material is “detachably mounted” onto portions within the claimed casing.

With respect to claim 9, which is rejected based on Nakajo in view of Boutet, this claim has also been rewritten as an independent claim, including features similar to those of claim 4 discussed above. More specifically, claim 9 recites “a case for storing said stimuable phosphor sheet, wherein a removable sheet member of a different material is removably attached to said case” and further recites that the case comprises “a tray for being stored in an opening defined in a side of said case” said tray including “said removable sheet member of the different material” along with a cap and the stimuable phosphor sheet.

As indicated above, the flat plate 24 of Nakajo is not detachably mounted to the casing 14 in any way. Thus, the flat plate 24 cannot be considered a “removable sheet member” as recited in Applicant’s claims. Further, since Boutet fails to cure the above cited deficiencies of Nakajo, Applicant respectfully submits that claim 9 is patentable over Nakajo in view of Boutet substantially for the same reasons discussed above with respect to claim 4.

Claims 10 and 12-16

Claim 10 recites a “radiation image forming cassette for storing a stimuable phosphor sheet ... wherein said sheet member is removably attached to a surface of said cassette....” As discussed above, flat plate 24 is an integral part of casing 14, not a component removably attached thereto. For at least this reason, Applicant respectfully submits that claim 10 is patentable over the cited art.

As claims 12-13 depend from claim 10, Applicant respectfully submits that these claims are patentable over the cited art at least based on this dependency.

As Sayed fails to cure the above cited deficiencies of Nakajo, and as claim 14 depends from claim 10, Applicant respectfully submits that claim 14 is patentable over Nakajo in view of Sayed at least based on this dependency.

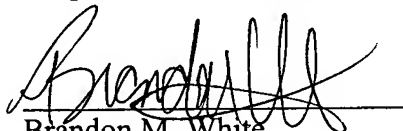
Further, as Sayed in view of Walker fails to cure the above cited deficiencies of Nakajo, and as claim 15-16 depend from claim 10, Applicant respectfully submits that claims 15-16 are patentable over Nakajo in view of Sayed in further view of Walker.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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